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9 NATERA, INC.

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

GUARDANT HEALTH, INC.,  
a Delaware corporation,

Plaintiff,

v.

NATERA, INC.,  
a Delaware corporation,

Defendant.

**Case No. 3:21-cv-04062-EMC**

**DECLARATION OF JOHN C.C. SANDERS IN  
SUPPORT OF NATERA'S UNOPPOSED  
MOTION TO FILE UNDER SEAL NATERA'S  
MOTION FOR ORDER TO SHOW CAUSE  
WHY GUARDANT SHOULD NOT BE FOUND  
IN CONTEMPT**

1 I, John C.C. Sanders, declare as follows:

2 1. I am an attorney for Defendant Natera, Inc. (“Natera”). I file this Declaration in support of  
3 Natera’s Motion to File Under Seal its Motion for Order to Show Cause Why Guardant Should Not  
4 Be Found in Civil Contempt.

5 2. On June 4, 2021, Natera filed a Motion to file the Parties’ Joint Statement Under Seal. ECF  
6 No. 25. On June 5, 2021, this Court granted Natera’s Motion, allowing Natera to file the Parties’ Joint  
7 Statement Under Seal. ECF No. 26.

8 3. The Joint Statement is a confidential settlement agreement, protected by, without limitation,  
9 Rule 408 of the Federal Rules of Evidence.

10 4. Contemporaneously with the filing of this Motion, Natera is filing a Motion for Order to Show  
11 Cause Why Guardant Should Not Be Found in Civil Contempt (the “Show Cause Motion”). The  
12 sealed Joint Statement is central to the Show Cause Motion, such that it would be impracticable to file  
13 a redacted version of the Show Cause Motion rather than seal it in its entirety.

14 5. On June 16, 2021, at approximately 12:41 PM CT, I wrote via email to counsel for Guardant  
15 that “the [Show Cause] motion will address the stipulation which was filed under seal. So we intend  
16 to file our motion under seal as well. I assume that you are unopposed to that, but please let me know  
17 in the next hour if I am incorrect.”

18 6. As of this filing, which took place more than one hour after the above email, I have not received  
19 a response from Guardant’s counsel.

20 Pursuant to 28 U.S.C. § 1746, I, John C.C. Sanders, certify under penalty of perjury that the  
21 foregoing is true and correct.

22 Dated: June 16, 2021

23 */s/ John C.C. Sanders*  
John C.C. Sanders

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